

Berlin & Farro Liquid Incineration Site ("Site"), Swartz Creek, Michigan. The Consent Decree provides for the payment to the United States of \$426,234.20. This amount represents all past costs of the United States for the Site that were not recovered by a previous consent decree in these cases between the United States and fifteen major and eighty *de minimis* parties. The settlement also includes a covenant not to sue for response action at the site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent order. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Berlin and Farro Liquid Incineration, Inc.*, D.J. Ref. 90-11-2-77A and *United States v. Amway Corp.*, D.J. Ref. 90-11-2-77B.

The proposed consent order may be examined at the office of the United States Attorney for the Eastern District of Michigan, 210 Federal Building, 600 Church Street, Flint, Michigan 48502, at the Office of Regional Counsel, United States Environmental Protection Agency, Region V, 200 West Adams Street, Chicago, Illinois 60604, and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may also be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$5.75 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Bruce Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 94-25471 Filed 10-13-94; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to the Clean Air Act; Dore & Associates Contracting, Inc.

In accordance with Department policy 28 CFR Section 50.7, notice is hereby given that on October 4, 1994, a proposed Consent Decree in *United States v. Dore & Associates Contracting, Inc.* (Civ. No. 93-CV-10333-BC) was lodged in the United States District Court for the Eastern District of Michigan (Bay City).

The United States filed the complaint commencing this enforcement action in 1993, under the Clean Air Act ("Act"), 42 U.S.C. Section 7401 *et seq.*, alleging

violations of the Act, and, in particular, violations of the National Emission Standard for Hazardous Air Pollutant ("NESHAP") that applies to the pollutant asbestos. See 40 CFR Part 61, Subpart M. The alleged violations related to asbestos removal work performed by Defendant in 1988 at a building known as Emerson Center, which was located in Flint, Michigan prior to its demolition, completed in 1989.

Under the proposed Decree, Defendant shall be required to, among other things: comply with all aspects of the current asbestos NESHAP as set out at 40 CFR Part 61 (Subpart M), submit supplemental reports and certifications concerning all asbestos removal work by Defendant, and pay stipulated penalties in the event Defendant violates particular requirements of the NESHAP and/or the Decree. The Decree also requires that Defendant pay a civil penalty of \$4,250.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment & Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Dore & Associates Contracting, Inc.*, DOJ Ref. #90-5-2-1-1582.

The proposed Consent Decree may be examined at the offices of the United States Attorney, Eastern District of Michigan, Federal Building, 1000 Washington Avenue, Bay City, Michigan, and at the offices of the U.S. Environmental Protection Agency, Region 5, Office of Regional Counsel, 200 West Adams (29th Floor), Chicago, Illinois. Copies of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. In requesting a copy, please enclose a check in the amount of \$4.50 (25 cents per page reproduction costs), payable to the "Consent Decree Library."

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 94-25472 Filed 10-13-94; 8:45 am]

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Lodging of Consent Decree Pursuant to Clean Air Act: Request for Public Comment

Notice is hereby given that a Consent Decree in *Louisiana Environmental*

Action Network v. Bobbitt, Civil No. 94-0895 (E.D. La.) was lodged with the United States District Court for the Eastern District of Louisiana on September 29, 1994.

The case involves the Louisiana Environmental Action Network's claim that the Department of the Interior had failed to comply with the statutory deadline for completion of a research study described under section 328(b) of the Clean Air Act, as amended by the Clean Air Amendment of 1990, Pub. L. No. 101-549, 104 Stat. 2399 (codified at 42 U.S.C. 7627(b)). The proposed Consent Decree would require completion of the research study by August 1, 1995.

The Department of Justice will receive written comments relating to the proposed Consent Decree for a period of 30 days from the date of publication of this notice. Comments should be addressed to Ms. Kathleen Roberts, U.S. Department of Justice, Environmental Defense Section, P.O. Box 23986, Washington, D.C. 20028-3986 and should refer to *Louisiana Environmental Action Network v. Bobbitt*, Civil No. 94-0895 (E.D. La.).

The Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of Louisiana, 500 Camp Street, New Orleans, Louisiana 70130.

Alternatively, a copy of the Decree is available on request from Ms. Kathleen Roberts at (202) 514-3924.

Dated: October 7, 1994.

Lois J. Schiffer,

Assistant Attorney General, Environment and Natural Resources Division, Department of Justice.

[FR Doc. 94-25417 Filed 10-13-94; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act; Terry Shaner, et al.

In accordance with Department Policy, 28 CFR 50.7, notice is hereby given that two proposed consent decrees in *United States v. Terry Shaner, et al.*, Civil Action No. 85-1372, were lodged on September 28, 1994 with the United States District Court for the Eastern District of Pennsylvania. An amended complaint was filed simultaneously with the lodging of the two Consent Decrees.

The first of the two proposed consent decrees requires the ten Settling Defendants to pay the United States \$547,304.44, which equals 100% of their volumetric share of past response

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costs, 100% of their share of estimated future response costs at the Site, and a 100% premium on future response costs. In the second of the two proposed consent decrees, the Settling Defendant cashes out for \$7,000.00 based on the U.S. Environmental Protection Agency's financial analyst's review of extensive financial information and determination that the Settling Defendant was unable to pay its full volumetric share of the de minimis settlements described in the decrees.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decrees. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Terry Shaner, et al.*, DOJ Ref. #90-11-3-76.

The proposed consent decrees may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania, 19106-4476; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania, 19107; and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of either of the proposed consent decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005. In requesting a copy of either or both of the proposed decrees, please refer to the referenced case, the specific decree requested, either the de minimis decree signed by ten defendants or the inability to pay decree signed by one defendant and enclose a check in the amount of \$7.25 for the de minimis decree signed by ten defendants and/or in the amount of \$5.50 for the inability to pay decree signed by one defendant (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 94-25473 Filed 10-13-94; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act; Shell Oil Company, Inc., et al.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby

given that on September 15, 1994 a proposed Consent Decree in *United States and State of California v. Shell Oil Company, Inc., et al.* Case No. CF 91-0589 RJK(Ex) was lodged with the United States District Court for the Central District of California. This Consent Decree represents a settlement of claims against Shell Oil Company, Union Oil Company of California, Atlantic Richfield Company and Texaco, Inc. ("Settling Defendants") for costs incurred in connection with the McColl Superfund Site in Fullerton, California under Section 107 of CERCLA, 42 U.S.C. 9607.

Under this settlement between the United States and the State of California ("Plaintiffs") and the Settling Defendants, the Settling Defendants will pay the United States Environmental Protection Agency ("EPA") \$13,248,000 for past United States response costs. The Consent Decree also requires the Settling Defendants to pay the State of California \$4,752,000 for past State response costs. Under the Consent Decree, the Plaintiffs obtain a declaratory judgment against the Settling Defendants for all future response costs incurred in connection with the McColl Site. The Consent Decree imposes a penalty of \$5,000 per day for each day payment of past response costs to the Plaintiffs is late.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States and State of California v. Shell Oil Company, Inc., et al.*, D.J. Ref. 90-11-2-3A.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Central District of California, Room 7516 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90217 and at Region IX, Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105, and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$7.00 (25 cents

per page reproduction cost) payable to the Consent Decree Library.

John C. Cruden,

Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 94-25474 Filed 10-13-94; 8:45 am]

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Notice of Lodging of Consent Decrees; Southern Pacific Transportation Corp., et al.

In accordance with the policy of the Department of Justice, 28 CFR 50.7, notice is hereby given that two proposed consent decrees in *United States v. Southern Pacific Transportation Corporation, et al.*, consolidated with, *People of the State of California v. Southern Pacific Transportation Corporation, et al.*, CIV-S-92-1117, were lodged with the United States District Court for the Eastern District of California on March 14, 1994. These consolidated actions were brought pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9607, Section 311 of the Clean Water Act, 42 U.S.C. § 1321, and the Rivers and Harbors Act, 33 U.S.C. § 407, as well as under various state statutes and the common law.

Under the first proposed consent decree, AMVAC Chemical Corporation and American Vanguard Corporation agree to pay \$2 million to the United States and the State of California in compensation of the claims alleged against those corporations. The second proposed consent decree provides that Southern Pacific Transportation Company and related corporations, GATX Corporation, General American Transportation Corporation, J.M. Huber Corporation, Trinity Chemical Industries, Inc., and Transmatrix, Inc., agree to pay the United States and the State of California \$36 million over a period of five years. These funds are being paid to reimburse the United States and the State of California for environmental response costs, health study costs, natural resource damages, penalties, state law claims, and common law damages incurred as a result of the derailment of a Southern Pacific train and subsequent spill of hazardous substances into the Upper Sacramento River. No further response activities are anticipated at this site; however, ongoing natural resource damage restoration projects will be conducted pursuant to a Natural Resource Damage Assessment Plan designed by the plaintiffs and pursuant to a Memorandum of Agreement between the governments.

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